

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GEORGIY SIDIROPOLO,	:	
	:	
Petitioner	:	No. 4:05-CV-0894
	:	
v.	:	Petition Filed 5/2/05
	:	
BUREAU OF IMMIGRATION AND	:	(Judge Muir)
CUSTOMS ENFORCEMENT, ET AL.,	:	
	:	
Respondent	:	

ORDER
June 24, 2005

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

On May 2, 2005, the Petitioner, Georgiy Sidiropulo, formerly an inmate at the York County Prison, York, Pennsylvania, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 in which he merely challenged his continued confinement by the Bureau of Immigration and Customs Enforcement pending deportation. Sidiropulo did not challenge the final order of deportation. Sidiropulo paid the \$5.00 filing fee. This case was assigned to us but referred to Magistrate Judge Thomas M Blewitt for preliminary consideration.

On June 2, 2005, Magistrate Judge Blewitt filed a report in which he recommended that the petition for writ of habeas corpus be dismissed as moot because Sidiropulo has been released from custody. Magistrate Judge Blewitt relied on a document entitled "Notice of Mootness" filed by the Respondents. Attached to that document were exhibits indicating that Sidiropulo was released from custody on May 27, 2005. Those

documents include a "Release Notification" dated May 25, 2005, which was signed by Sidiropulo and an order of supervision setting forth conditions of release dated May 27, 2005. At the bottom of the order of supervision is an acknowledgment of the conditions of release signed by Sidiropulo and dated May 27, 2005.

Objections to the report of a Magistrate Judge may be filed within 10 days after the report is served on the parties. M.D. Pa. Local Rule 72.31. Neither Sidiropulo nor the Respondents filed objections to the report of Magistrate Judge Blewitt. When no objections are filed to the report of a Magistrate Judge, we need only review that report as we in our discretion deem appropriate. Thomas vs. Arn, 474 U.S. 140, 151-52 (1985).

The impetus for the filing of Sidiropulo's petition, i.e., his continued detention, no longer exists. We find no error in Magistrate Judge Blewitt's report and because Sidiropulo has been released from custody, we shall adopt it as our own.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The report of Magistrate Judge Thomas M. Blewitt filed on June 2, 2005, is adopted in toto.
2. Sidiropulo's petition for writ of habeas corpus is dismissed as moot.
3. The Clerk of Court shall close this case.

4. The Clerk of Court shall send a copy of this order to Magistrate Judge Blewitt.

s/Malcolm Muir
MUIR, U.S. District Judge

MM:gs